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uniQema

Uniqema
76 East 24th Street
P.O. Box 425
Paterson, NJ 07544
Telephone (973) 345-8220
Fax (973) 345-3527

April 17, 2003

United States Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866

Re: Lower Passaic River Study Area
Request for Information Pursuant to 42 U.S.C. §§ 9601-9675

RECEIVED
APR 23 2003

Dear Ms. Reddy:

Please find enclosed information in response to the request we received relating to the investigation of the Lower Passaic River Study Area.

Our Company wishes to cooperate with the EPA during this investigation. We are making a good faith effort to supply as much pertinent information as practical and to do so in a timely manner.

Mona Industries Inc. has operated continuously at the site in Paterson, New Jersey since 1952. The operation consists of batch chemical manufacture of an extensive line of surfactants and involves the use of many raw materials. We have approximately 100 people employed at the site and production is carried out on a five-day week, 24 hours per day basis. The products manufactured at the site are sold into the Personal Care, Industrial/Institutional Cleaning, and Lubricant Additive market places. The Company has a record of being pro-active with respect to environmental issues and of making sure that we are in compliance with all applicable regulations.

In view of our limited staff and resources, and the number and variety of substances that have been handled at the site over the years, responding with a literal interpretation of the request, presents a daunting task for us. Compiling the information requested, if taken literally, will be extraordinarily difficult, if not impossible to achieve. Our interpretation of certain sections in the request has led us to conclude that some are overly broad in scope and the work necessary to complete would be unduly burdensome.



Uniqema is an international business of Imperial Chemical Industries, PLC. Uniqema operates through ICI affiliated companies in the relevant countries such as ICI Americas, Inc. Unichema, a division of Indopco, Inc. and Mona Industries in the USA.

We have presented information in response to each item addressed in Attachment B. The responses generally address site experience with the substances specifically noted in Attachment B, item number 3. Please note that we have only used or handled two of the substances listed therein; i.e., total petroleum hydrocarbons and sodium hydroxide. Because of this and the manner in which the materials have been and are used and handled at our site, we do not feel that we have contributed in any way to the issues of concern in the subject study area.

Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Frank Kay". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Frank A. Kay
Site Manager

ATTACHMENT B

REQUEST FOR INFORMATION

The United States Environmental Protection Agency ("EPA") is investigating the release of hazardous substances into the Passaic River. Please provide the information requested below, including copies of all available documentation that supports your answers.

- 1) How long has your company operated at the facility? If your company no longer operates at this facility, during what years did your company operate at the facility?
- 1) The site has been in continuous operation for 52 years i.e., since 1952. The business has operated as Mona Industries Inc. from 1952 until the present time. In July 1998, the company was purchased by ICI Americas and became a part of an ICI business unit named Uniqema.

- 2) a) Does your company have or has it in the past had a permit or permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq.? If "yes", please provide the years that your company held such a permit and its EPA Identification Number.

2a) The site has held the following permits under RCRA:

NJD 981566003 Active 1990-1997

NJD 990747198 Active 1991-Current

NJD 002193324 Active 2000-Current

- b) Does Your company have or has it in the past had a permit or permits issued pursuant to the Federal Water Pollution Control Act, 33 U.S.C. § 125 1, et seq.? If "yes", please provide the years that your company held such a permit.

2b) The site has the following permit:

NJDEPS Thermal Surface Water Discharge

NJ 0035000 Active 1995-Current

Copy of typical DMR report attached, Attachment #1

- 3) Did your company receive, utilize, manufacture, discharge, release, store or dispose of any materials containing the following substances:

	Yes	No
2,3,7,8 tetrachlorodibenzo-p-dioxin	—	<u>X</u>
2,4-Dichlorophenoxy acetic acid (2,4-D)	—	<u>X</u>
2,4,5-Trichlorophenoxy acetic acid (2,4,5-T)	—	<u>X</u>
2,4,5-Trichlorophenol (2,4,5-TCP)	—	<u>X</u>
or other dioxin compounds	—	<u>X</u>
Diclorodiphenyl-trichloroethate (DDT)	—	<u>X</u>
 Benzene	 —	 <u>X</u>
Ethylbenzene	—	<u>X</u>
Total Petroleum Hydrocarbons (TPEH)	<u>X</u>	
Polyaromatic Hydrocarbons (PAH)	—	<u>X</u>
If "yes", please list specific compounds	—	<u>X</u>
Toluene	—	<u>X</u>

Xylene	—	<u>X</u>
PCBs	—	<u>X</u>
Antimony	—	<u>X</u>
Argon	—	<u>X</u>
Arsenic	—	<u>X</u>
Cadmium	—	<u>X</u>
Chlorine	—	<u>X</u>
Chromium	—	<u>X</u>
Copper	—	<u>X</u>
Iron	—	<u>X</u>
Lead	—	<u>X</u>
Mercury	—	<u>X</u>
Nickel	—	<u>X</u>
Silver	—	<u>X</u>
Sulfur	—	<u>X</u>
Titanium	—	<u>X</u>
Vanadium	—	<u>X</u>
Zinc	—	<u>X</u>
Cyanide	—	<u>X</u>
Acetone	—	<u>X</u>
Acetylene	—	<u>X</u>
Acetylene tetrabromide	—	<u>X</u>
2 butoxy ethanol	—	<u>X</u>
Bis (2-ethylhexyl) pthalate	—	<u>X</u>
Chlorodifluoromethane	—	<u>X</u>
Chloropentafluoromethane	—	<u>X</u>
Chlorotrifluoromethane	—	<u>X</u>
Dibutyl phthalate	—	<u>X</u>
Dichlorodifluoromethane	—	<u>X</u>
Naphtha	—	<u>X</u>
Silver nitrate	—	<u>X</u>
Sodium bisulfite	—	<u>X</u>
Sodium hydroxide	<u>X</u>	—
Sodium nitrate	—	<u>X</u>
Tungsten	—	<u>X</u>

Note: The “Total Petroleum Hydrocarbons” used at the site consist entirely of fuel oil that is stored in tanks that are compliant with regulations and is used for heating the building at the site and to provide steam/hot oil for processing purposes.

The "Sodium Hydroxide" used at the site is purchased in 55 gal. drums as 50 % solution. The drums of 50% sodium hydroxide are stored in an enclosed warehouse with impervious flooring. The 50% sodium hydroxide is used in several products as they are processed through our batch operation. There have been no "discharges", "releases", or disposal of these materials.

4) a) Provide a description of the manufacturing processes for all hazardous substances, including, but not limited to, the substances listed in response to item (3), were a product or by-product.

4a) None of the substances in the list under item (3) were a product or by-product of any of the manufacturing process at the site.

b) During what parts of the manufacturing processes identified in the response to items (4)(a), above, were hazardous substances, including, but not limited to, the substances listed in response to item (3), generated?

1) Describe the chemical composition of these hazardous substances.

ii) For each process, what amount of hazardous substances was generated per volume of finished product?

iii) Were these hazardous substances combined with wastes from other processes? If so, wastes from what processes?

4b) [See (a) above.]

5) Describe the methods of collection, storage, treatment, and disposal of all hazardous substances, including, but not limited to, the substances listed in response to item (3) and (4). Include information on the following:

5) With respect to hazardous waste disposal, the site is characterized as a "conditionally exempt small quantity generator". The only hazardous waste generated at the site on a regular basis consists of small quantities of chemicals that result from work done in the quality control lab and in the R&D labs. These chemicals are shipped out in "lab packs" on a quarterly basis with hazardous waste manifests, and only approved NJDEP hazardous waste contractors are utilized for these shipments.

There have been occasions in our history where, due to "clean up" campaigns at the site, there has been a need to ship larger quantities of hazardous waste. In all of these circumstances, the chemicals involved were 1) stored in 55 gal drums that were in good condition, 2) stored in enclosed warehouse spaces, and 3) shipped under hazardous waste manifests using NJDEP approved hazardous waste contractors.

Hazardous waste shipment manifests are on file for your review.

Copy of typical hazardous waste manifest – Attachment #2

a) Identify all persons who arranged for and managed the processing, treatment, storage and disposal of hazardous substances.

- 5a) People who have assisted with arrangements for hazardous waste shipments:
- | | |
|------------------|-----------------|
| Jennifer Hergert | SSHE Manager |
| Frank Kay | Site Manager |
| John Raggi | Tolling Manager |

b) If hazardous substances were taken off-site by a hauler or transporter, provide the names and addresses of the waste haulers and the disposal site locations.

- 5b) Names, addresses of waste haulers, disposal site locations:

Onyx Environmental Service
1 Eden Lane
Flanders, NJ 07836

Clean Harbors of Conn. Inc.
51 Boderick Road
Bristol, CT 06010

The S & W Waste, Inc. (previous provider)
105 Jacobus Avenue
South Kearney, NJ 07032

c) Describe all storage practices employed by your company with respect to all hazardous substances from the time operations commenced until the present. Include all off-site and off-site storage activities.

- 5c) Shown above

i) If drums were stored outside, were the drums stored on the ground or were they stored on areas that had been paved with asphalt or concrete? Please provide a complete description of these storage areas.

i) No outside storage

ii) When drums were stored outside, were empty drums segregated from full drums?

ii) N/A

d) What processes do you use to treat your waste? What do you do with the waste after it is treated?

- 5d) No waste treatment is performed at this site.

6) a) For process waste waters generated at the facility which contained any hazardous substances, including, but not limited to, the substances listed in response to item (3) and (4):

- i) Where was the waste water discharged and during what years?

All process waste water generated at the site is collected in a central tank and discharged to the Paterson City Sewer System, which in turn discharges to the Passaic Valley Sewerage System. This discharge system has been in effect since the inception of operations at the site.

- ii) Was the waste water discharged into a sanitary sewer and if so, during what years?

- ii) see i)
- iii) Was the waste water treated before being discharge to the sanitary sewer and if so, how? Please be specific.
- iii) No treatment of waste water is performed at the site.
- iv) If the waste waters were not discharged to the sanitary sewer, where were they disposed and during what years?
- iv) N/A
- v) Please provide the results of any analyses performed on any waste process streams generated at the facility.
- v) The only "waste process stream" that has been generated at the site is methanol. The methanol is a by-product of a few of the batch processes that are conducted at the site. No sampling of this specific "stream" is conducted on a regular basis. The discharge of the entire plant is monitored, sampled, and checked frequently against the limits in our outfall permit form PVSC. Copy of typical monthly discharge report for PVSC. Attachment #3
Typical analysis for methanol waste stream.
>or = 99% Methanol, < or = 1% Alkalinity & Water
We generate approximately 175,000 lbs per year (on average depending on product mix).
- b) For floor drains or other disposal drains at the facility:
 - i) Did the drains connect to a sanitary sewer and if so, during what years?
 - i) Drains have been collected and discharged to sanitary sewer since the inception of operations at the site.
 - ii) If the floor drains or other disposal drains at the facility were not discharged to the sanitary sewer, where did they discharge and during what years?
 - ii) N/A
- c)
 - i) Did any storm sewers, catch basins or lagoons exist at any time at the facility and if so, during what years?
 - ii) If catch basins or lagoons existed, were they lined or un-lined?
 - iii) What was stored in the lagoons?
 - iv) Where was the discharge from any of these structures released and during what years? Was this discharge treated before its release and if so, how and during what years? What was the chemical composition of any waste waters released?
- 6c) i-iv) No storm sewers, no catch basins, no lagoons.
- d) Please supply diagrams of any waste water collection, transport or disposal systems on the property.
- 6d) Diagram of waste water collection and discharge system:
Attachment #4

7) a) For each hazardous substance, including, but not limited to, the substances listed in response to item(3) or identified in the responses to item (4), above, provide the total amount generated during the operation of the facility on an annual basis.

7a) Methanol is generated during the batch manufacture of surfactants and enters our process waste water system. The methanol thereby combines with non-hazardous process waste water and is discharged into a domestic sanitary sewer per the site's industrial sewer connection permit. The discharge is handled by Passaic Valley Sewerage Commission (the local POTW).

b) Were any hazardous substances, including, but not limited to, the substances listed in response to item (3) or identified in the responses to item (4), above, disposed of in the Passaic River or discharged to the Passaic River? If yes, identify the hazardous substance, estimate the amount of material discharged to or disposed of in the Passaic River and the frequency with which this discharge or disposal occurred. Also please include any sampling of the river which you might have done after any discharge or disposal.

7b) No hazardous substance were disposed of in the Passaic River, nor were any discharged to the River.

8) Please identify any leaks, spills, explosions, fires or other incidents of accidental material discharge that occurred at the facility during which or as a result of which any hazardous substances, including, but not limited to, the substances listed in response to item (3) or (4), were released on the property, into the waste water or storm drainage system at the facility or to the Passaic River. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials.

8) No hazardous substances were released to the Passaic River as the result of any leak, spill, explosion, fire or other incident of accidental material discharge.

a) Please provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean-up. Please provide in this information all sampling performed for or by NJDEP.

8a) N/A

9) a) Was your facility ever subject to flooding. If so, was the flooding due to:

i) overflow from sanitary or storm sewer back-up, and or

ii) flood overflow from the Passaic River?

b) Please provide the date and duration of each flood event.

9) No flooding has ever occurred at the site.

10) Please provide a detailed description of any civil, criminal or administrative proceedings against your company for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal. Provide copies of all pleadings and depositions or other testimony given in these proceedings.

- 10) Copies of any civil, criminal or administrative proceedings against the company for violations of any local, state or federal laws or regulations relating to water pollution or hazardous wastes. Attachment #5

11) Provide a copy of each document which relates to the generation, purchase, use, handling, hauling, and/or disposal of all hazardous substances, including, but not limited to, the substances listed in response to item (3) or (4). If you are unable to provide a copy of any document, then identify the document by describing the nature of the document (e.g. letter, file memo, invoice, inventory form, billing record, hazardous waste manifest, etc.). Describe the relevant information contained therein. Identify by name and job title the person who prepared the document. If the document is not readily available, state where it is stored, maintained, or why it is unavailable.

11) See #5

- 12) a) Did you or anyone else sample the soil, ground water, surface water, ambient air or other environmental media at the facility for purposes other than those identified in questions above?

b) If so, please provide all other documents pertaining to the results of these analyses.

- 12) Information related to soil, ground water, surface water testing:

As noted in other sections, Mona Industries Inc. was acquired by ICI Americas in 1998.

In addition to the due diligence procedures followed by ICI Americas, the change in ownership initiated an ISRA review by NJDEP. Part of the evaluation of the site involved the drilling of a series of Geo probe borings around the site. The ISRA case centered around one of the ground water samples in which No. 2 fuel oil was detected in concentrations that were minimally above New Jersey Environmental Standards. The presence of No. 2 fuel oil was attributed to a previous owner of the property as the particular grade of fuel oil has never been used by Mona Industries Inc. [KCSL#NJD 986595254, ISRA.

A considerable amount of time and effort has gone into resolving this issue satisfactorily with NJDEP and as of April 7, 2003 the Company is in receipt of a "No Further Action" letter from NJDEP.

As the ISRA case file is quite voluminous, copies of selected sections are included with this submission for your review. The entire file is available for your review if it is determined at a later date that it would be necessary.

Attachment #6

- 13) a) Has your company owned the facility at the location designated above? If so, from whom did your company purchase the property and in what year? If your company, subsequently sold the property, to whom did your company sell it and in what year? Please provide copies of any deeds and documents of sale.

13a) Mona Industries Inc. continues as the legal entity that owns the

property. Mona Industries Inc. was purchased by ICI Americas Inc. in 1998 and continues to operate as part of Uniqema which is a business unit of ICI.

b) If your company did not own the facility, from whom did your company rent the facility and for what years? Please provide copies of any rental agreements.

13b) N/A

c) To the extent that you know, please provide the names of all parties who owned or operated the facility during the period from 1940 through the present. Describe the relationship, if any, of each of those parties with your company.

13c) See items (1) and 13) a) above. As to the ownership of Mona Industries, Inc.:

1998 - Current, owned by ICI Americas Inc.

1987 - 1998, John J. McAndrews, Retired, no relationship with current ownership.

* - 1987, J.W. Braitmayer, Retired, no relationship with current ownership.

* J. W. Braitmayer became majority owner sometime in the early 70's.

14) Answer the following questions regarding your business or company. Identifying a company that no longer exists, provide all the information requested, except for agent for service of process. If your company did business under more than one name, list each name.

a) State the legal name or company.

a) Mona Industries, Inc.

b) State the name and address of the president or the chairman of the board, or other presiding officers of your company.

b) Noel Beavis is the President, Chief Executive Officer and Treasurer of Mona Industries, Inc. His address is 4650 south Racine Avenue, Chicago, IL 60609. Clive A. Grannum is the Chairman of Mona Industries, Inc. His address is 1000 Uniqema Boulevard, New Castle, DE 19720.

The full slate of Board members (with addresses) of Mona Industries, Inc. is as follows:

<u>Name</u>	<u>Address</u>
Clive A. Grannum	1000 Uniqema Blvd. New Castle, DE 19720
William J. Hutchinson	10 FINDERNE AVE. BRIDGEWATER, NJ 08807
Matt McDonald	1000 Uniqema Blvd. New Castle, DE 19720
Frank Kay	76 East 24 th Street, Paterson, NJ 07544

The full slate of Officers of Mona Industries, Inc. is as follows:

<u>Name</u>	<u>Address</u>
Noel Beavis- President, Chief Executive Officer and Treasurer	4650 South Racine Avenue Chicago, IL 60609
Clive A. Grannum-Vice President and Uniqema Executive	1000 Uniqema Boulevard New Castle, DE 19720
Matt McDonald-Vice President, Chief Financial Officer	100 Uniqema Boulevard New Castle, DE 19720

Frank A. Kay-Vice President

76 East 24th Street

Paterson, NJ 07544

Barbara S. Curran-Secretary

1000 Uniqema Boulevard

New Castle, DE 19720

William J. Hutchinson-Assistant

10 Finderne Avenue

Secretary

Bridgewater, NJ 08807

Vincent G. Urso-Assistant Treasurer

10 Finderne Avenue

Bridgewater, NJ 08807

- c) State the number of people employed by your company.
- c) 96
- d) Identify the state of incorporation of your company and your company's agent for service of process in the state of incorporation and in New Jersey.
- d) Mona Industries, Inc. was incorporated in New Jersey. The company's agent for service of process in New Jersey is Corporate Trust Company, 820 Bear Tavern Road, West Trenton, NJ
- e) Provide a copy of your company's "Certificate of Incorporation" and any amendments thereto.
- e) Attachment #7
- f) If your company is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship to your company, indicate the date and manner in which each relationship was established.
- f) Mona Industries Inc. is part of Uniqema, which is a business unit of ICI Americas-of June 1998.
- g) Identify any predecessor organization and the dates that such company became part of your company.
- g) N/A
- h) Identify any other companies which were acquired by your company or merged with your company.
- h) N/A
- i) Identify the date of incorporation, state of incorporation, agents for service of process in the state of incorporation and New Jersey, and nature of business activity, for each company identified in the responses to items (14)(e), (f), and (g), above.
- i) Mona Industries, Inc. was incorporated in the State of New Jersey on July 6, 1951. The agent for service of process in New Jersey is Corporation Trust Company, 820 Bear Tavern Road, West Trenton, NJ.
- j) Identify all previous owners or parent companies, address(es), and the date change in ownership occurred.
- j) Previous owners: 1987 - 1998 John J. McAndrew
12 Windsor Road
Summit, NJ 07901
* - 1987 J. W. Braitmayer
Unknown

* J. W. Braitmayer became majority owner sometime in the early 70's.

- 15) Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.

15) Frank A. Kay, Site Manager
Uniqema
76 East 24th Street
Paterson, NJ 07544
973-225-5209

Jennifer Hergert, SSHE Manager
Uniqema
76 East 24th Street
Paterson, NJ 97544
973-225-7923

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of NEW JERSEY :

County of PASSAIC :

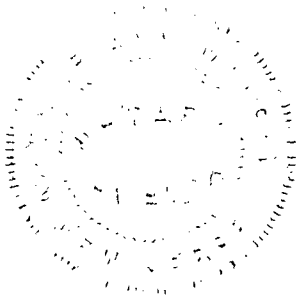
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

FRANK A. KAY
NAME (print or type)

SITE MANAGER
TITLE (print or type)

Frank A. Kay
SIGNATURE

Sworn to before me this 21 day of APRIL 2023



Natalie Ann Mangan
Notary Public Signature

NATALIE ANN MANGAN
NOTARY PUBLIC OF NEW JERSEY,
Commission Expires 8/30/2026

Under the direction of Sarah Flanagan, ORC and Robert Keating, Records Center Manager, attachments were not scanned. Also Notice Letters were not issued to this PRP.

Mona Industries, Inc.

DIAMOND ALKALI SUPERFUND SITE

NJD980528996